

CHAPTER NO. 189

SENATE BILL NO. 420

By Fowler, Crowe

Substituted for: House Bill No. 614

By Kerr, Bowers, Godsey, Cooper

AN ACT To amend Tennessee Code Annotated, Section 39-13-511, and to repeal Section 4 of Chapter No. 542 of the Public Acts of 1994, relative to indecency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-511(b), is amended by deleting subdivision (1) and by substituting instead the following:

(1) A person commits the offense of indecent exposure who:

(A) In a public place, as defined in §39-11-106, or on the private premises of another, or so near thereto as to be seen from such private premises:

(i) Intentionally:

(a) Exposes such person's genitals or buttocks to another, or

(b) Engages in sexual contact or sexual penetration as defined in §39-13-501, and

(ii) Reasonably expects that the acts will be viewed by another and such acts:

(a) Will offend an ordinary viewer, or

(b) Are for the purpose of sexual arousal and gratification of the defendant, or

(B) Knowingly invites, entices or fraudulently induces the child of another into such person's residence for the purpose of attaining sexual arousal or gratification by intentionally engaging in the following conduct in the presence of such child:

(i) Exposure of such person's genitals, female breasts or buttocks, or

(ii) Masturbation.

For the provisions of this subpart (B) to apply, the defendant must be eighteen (18) years of age or older and the child victim must be less than thirteen (13) years of age.

SECTION 2. This act shall take effect July 1, 1999, the public welfare requiring it.

PASSED: May 10, 1999



JOHN S. WILDER
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of May 1999



DON CONQUIST, GOVERNOR